

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT



FEDERAL ELECTION
COMMISSION

2013 APR 23 PM 12:12

OFFICE

April 22, 2013 APR 30 PM 12:12

Anthony Herman, Esquire
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

SENSITIVE

MUR # 6732

Re: North Carolina Democratic Party

To Whom It May Concern:

Pursuant to the Federal Election Campaign Act of 1971, as amended (2 U.S.C. 431 et seq.) and Title 11 of the Code of Federal Regulations, please accept this letter as a Complaint against the North Carolina Democratic Party who is registered with the Federal Election Commission under ID Number C00165688. Specifically, the North Carolina Democrat Party has violated the reporting provisions set forth in §140.3(a)(1) and §104.11(b).

Overstatement of Cash on Hand

The February 2013 FEC Report covering the period 1/1/13 to 1/31/13 shows a receipt of \$14,115.00 from the State of North Carolina for "Tax Check Off Funds" (Exhibit A). The North Carolina Department of Revenue issued a memorandum on January 15, 2013 stating that income tax designations had been transferred to the North Carolina Political Parties Financing Fund (Exhibit B), not into the individual political party's bank accounts. These amounts will be distributed to the parties at a later date this year. 11 CFR §104.3 (1) defines cash on hand as: "The amount of cash on hand at the beginning of the reporting period, including currency, balances on deposit in banks, savings and loan institutions and other depository institutions." The North Carolina State Board of Elections said the "check-off funds" will be distributed in August of this year.

Debts and Obligations Owed By the Committee

11 CFR §104.11 (b) states that "a debt or obligation, the amount of which is over \$500 shall be reported as of the date on which the debt or obligation is incurred, except any obligation incurred for rent, salary or other regularly reoccurring administrative expenses". The North Carolina Democratic Party has not reported any debts or obligations on their FEC reports for the past 14 reports covering the periods 1/1/12 through 2/28/13. Copies of the Summary Pages are attached (Exhibits C-P).

North Carolina Republican Party Headquarters

The Joyce and John W. Pope, Sr. Family Building

1506 Hillsborough Street • Post Office Box 12905 • Raleigh, North Carolina 27605

(919) 828-6423 • Fax (919) 899-3815 • www.ncgop.org



Conclusion

Upon information and belief and based upon the facts relayed, we respectfully request that the Commission conduct an immediate investigation into the violations outlined above.

The foregoing is correct and accurate to the best of my knowledge.

Respectfully submitted,

Mike Rusher, Chief of Staff

Sworn to and subscribed before me this 22 day of April, 2013.



Notary Public:

Gregory M. Fornshell
Signature

GREGORY M. FORNSHELL
Printed Name

My Commission Expires: AUGUST 27, 2017

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Exhibit (A)

SCHEDULE A (FEC Form 3X)
ITEMIZED RECEIPTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

(check only one)

<input type="checkbox"/> 11a	<input type="checkbox"/> 11b	<input type="checkbox"/> 11c	<input type="checkbox"/> 12
<input type="checkbox"/> 13	<input type="checkbox"/> 14	<input type="checkbox"/> 15	<input type="checkbox"/> 16
			<input checked="" type="checkbox"/> 17

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)

North Carolina Democratic Party - Federal

Full Name (Last, First, Middle Initial)

A. Voter List Management Coop

Mailing Address PO Box 9

City	State	Zip Code
Lexington	KY	40588

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

2152.54

Date of Receipt

01 07 2013

Transaction ID : 17-01-06828-11909

Amount of Each Receipt this Period

2152.54

Voter File Proceeds

Full Name (Last, First, Middle Initial)

B. State of North Carolina

Mailing Address 116 West Jones Street

City	State	Zip Code
Raleigh	NC	27603

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

14115.00

Date of Receipt

Q1 15 2013

Transaction ID : 17-08-00113-00113

Amount of Each Receipt this Period

14115.00

Tax Check Off Funds

Full Name (Last, First, Middle Initial)

C. New Jersey Democratic State Committee

Mailing Address 196 West State Street

City	State	Zip Code
Trenton	NJ	08608

FEC ID number of contributing federal political committee.

C

Name of Employer

Occupation

Receipt For:

☐ Primary ☐ General
☐ Other (specify) ▼

Aggregate Year-to-Date ▼

2600.00

Date of Receipt

Q1 24 2013

Transaction ID : 17-01-06874-12047

Amount of Each Receipt this Period

2600.00

Equipment Purchase

SUBTOTAL of Receipts This Page (optional) ▶

18867.54

TOTAL This Period (last page this line number only) ▶

18867.54



Exhibit (B)

North Carolina Department of Revenue

Pat McCrory
Governor

Lyons Gray
Secretary

MEMORANDUM

TO: Kimberly Strach, Deputy Director of Campaign Reporting
State Board of Elections

FROM: Lyons Gray, Secretary
Department of Revenue *Lyons Gray*

DATE: January 15, 2013

SUBJECT: **Designation of Income Tax to Political Parties**

We have electronically transferred funds of \$55,211.00 covering the \$3.00 and \$1.00 individual income tax designations to the North Carolina Political Parties Financing Fund for the quarter ending December 31, 2012.

The following is a breakdown of taxpayer designations:

Democratic	\$ 14,115.00
Republican	\$ 8,676.00
Libertarian	\$ 756.00
Unspecified	<u>\$ 31,664.00</u>
Total	<u>\$ 55,211.00</u>

LG/dei

cc: Honorable Janet Cowell, State Treasurer
Chairman, Democratic Party
Chairman, Republican Party
Dr. Linda S. Millsaps, Chief Operating Officer
Elizabeth W. Colcord, Chief Financial Officer
David B. Baker, Director, Local Government Division

Exhibits (C) - (P)**SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS**

FEC Form 3X (Rev. 02/2003)

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 01 01 2012 To: 01 31 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	408025.04	
(c) Total Receipts (from Line 19).....	274391.33	274391.33
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	682416.37	682416.37
7. Total Disbursements (from Line 31).....	270918.28	270918.28
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	411498.09	411498.09
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

For further information contact:Federal Election Commission
999 E Street, NW
Washington, DC 20463Toll Free 800-424-9530
Local 202-694-1100

SUMMARY PAGE OF RECEIPTS AND DISBURSEMENTS

FEC Form 3X (Rev. 02/2003)

Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 02 01 2012 To: 02 29 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	411498.09	
(c) Total Receipts (from Line 19).....	356809.44	631200.77
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	768307.53	1039225.81
7. Total Disbursements (from Line 31).....	396971.41	667889.69
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	371336.12	371336.12
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

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Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period:

From:

03

01

2012

To:

03

31

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	371336.12	
(c) Total Receipts (from Line 19).....	492993.22	1124193.99
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	864329.34	1532219.03
7. Total Disbursements (from Line 31).....	552281.35	1220171.04
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	312047.99	312047.99
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 04 01 2012 To: 04 30 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	312047.99	
(c) Total Receipts (from Line 19)	712205.56	1836399.55
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	1024253.55	2244424.59
7. Total Disbursements (from Line 31)	671322.80	1891493.84
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	352930.75	352930.75
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 05 01 2012 To: 05 31 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	352930.75	
(c) Total Receipts (from Line 19)	704132.42	2540531.97
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	1057063.17	2948557.01
7. Total Disbursements (from Line 31)	755659.38	2647153.22
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	301403.79	301403.79
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period:

From:

06

01

2012

To:

06

30

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	301403.79	
(c) Total Receipts (from Line 19).....	818987.12	3359519.09
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	1120390.91	3767544.13
7. Total Disbursements (from Line 31).....	847275.18	3494428.40
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	273115.73	273115.73
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period:

From:

07

01

2012

To:

07

31

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	273115.73	
(c) Total Receipts (from Line 19)	989704.21	4349223.30
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	1262819.94	4757248.34
7. Total Disbursements (from Line 31)	812988.70	4307417.10
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	449831.24	449831.24
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period:

From:

08

01

2012

To:

08

31

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	449831.24	
(c) Total Receipts (from Line 19)	3370591.28	7719814.58
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	3820422.52	8127839.62
7. Total Disbursements (from Line 31)	1905219.17	6212636.27
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	1915203.35	1915203.35
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period:

From:

09

01

2012

To:

09

30

2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	1915203.35	
(c) Total Receipts (from Line 19)	2427614.06	10147428.64
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	4342817.41	10555453.68
7. Total Disbursements (from Line 31)	2169060.52	8381696.79
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	2173756.89	2173756.89
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 10 01 2012 To: 10 17 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	2173756.89	
(c) Total Receipts (from Line 19)	2807935.85	12955364.49
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	4981692.74	13363389.53
7. Total Disbursements (from Line 31)	2663178.28	11044875.07
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	2318514.46	2318514.46
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 10 18 2012 To: 11 26 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period	2318514.46	
(c) Total Receipts (from Line 19)	2061229.96	15016594.45
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	4379744.42	15424619.49
7. Total Disbursements (from Line 31)	3660439.39	14705314.46
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	719305.03	719305.03
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 11 27 2012 To: 12 31 2012

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2012		408025.04
(b) Cash on Hand at Beginning of Reporting Period.....	719305.03	
(c) Total Receipts (from Line 19).....	289697.91	15306292.36
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	1009002.94	15714317.40
7. Total Disbursements (from Line 31).....	591382.97	15296697.43
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	417619.97	417619.97
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D).....	0.00	

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SUMMARY PAGE **OF RECEIPTS AND DISBURSEMENTS**

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 01 01 2013 To: 01 31 2013

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2013		415248.88
(b) Cash on Hand at Beginning of Reporting Period	415248.88	
(c) Total Receipts (from Line 19)	181164.26	181164.26
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	596413.14	596413.14
7. Total Disbursements (from Line 31)	171063.73	171063.73
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	425349.41	425349.41
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	0.00	

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Page 2

Write or Type Committee Name

North Carolina Democratic Party - Federal

Report Covering the Period: From: 02 01 2013 To: 02 28 2013

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. (a) Cash on Hand January 1, 2013		415248.88
(b) Cash on Hand at Beginning of Reporting Period.....	425364.21	
(c) Total Receipts (from Line 19).....	11494.91	192673.97
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B).....	436859.12	607922.85
7. Total Disbursements (from Line 31).....	-5732.06	165331.67
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d)).....	442591.18	442591.18
9. Debts and Obligations Owed TO the Committee (itemize all on Schedule C and/or Schedule D).....	0.00	
10. Debts and Obligations Owed BY the Committee (itemize all on Schedule C and/or Schedule D).....	0.00	

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